

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MALEEHA AHMAD)	
)	
and)	
)	
ALISON DREITH,)	
)	
<i>on behalf of themselves and a class of</i>)	
<i>similarly situated individuals,</i>)	No. 4:17-cv-2455
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF ST. LOUIS, MISSOURI,)	
)	
Defendant.)	

DECLARATION OF W. PATRICK MOBLEY

I, W. Patrick Mobley, declare as follows:

1. I am over the age of 18. I have personal knowledge of the facts set forth in this declaration and could and would testify competently to those facts.

2. On the evening of Sunday, September 17, 2017, I was in the area of Pine Street and Tucker Boulevard in St. Louis, Missouri.

3. Using my smartphone, I was recording video of approximately five St. Louis Metropolitan police officers as they made an arrest.

4. I was standing on a sidewalk, across the street from the arrest. I was approximately 10 feet away from the nearest officer and approximately 30 feet from the arrest and was not addressing the officers, so I did not interfere with their ability to perform their duties.

5. I was not committing any crime.

EXHIBIT N

6. The officers seized my phone without warning and without my consent.
7. One officer accessed my phone without my consent and deleted my video. This officer was in plainclothes.
8. The officers demanded identification and commanded me to sit in a certain location on the sidewalk with my legs extended.
9. I was ordered to remain there while the officers checked my identification, a process that took approximately 20 minutes.
10. The officers repeatedly threatened to arrest me for “interfering.”
11. The officers also threatened to arrest me for property damage.
12. One officer told me that he was arresting me for property damage and resisting arrest. He walked away without saying anything further or taking any further action after another officer said something to him, which I could not hear.
13. An officer searched my bag without my consent.
14. The plainclothes police officer threatened to take me to jail, where he said he would find someone who would say they saw me damaging property.
15. I did not damage any property or commit any other crime.
16. Eventually I was commanded to leave the area, even though I had been on a public sidewalk and committing no crime.
17. The plainclothes officer told me to walk away and that he would arrest me if I turned around.
18. I have learned that the St. Louis Metropolitan police deployed chemical agents, including at least pepper spray, pepper balls, and tear gas, without warning on multiple occasions during the protests following the Stockley verdict.

19. I have learned that the St. Louis Metropolitan police have arrested protestors and others for “failing to disperse” or for being part of an “unlawful assembly” in an arbitrary way and without giving warnings that I would be able to understand.

20. What I learned—plus what I experienced—has made me frightened of arbitrary arrest by the St. Louis Metropolitan police, as well as abuse and retaliation for engaging in expressive activity that is critical of the police or attempts to hold police accountable.

21. I have not engaged in expressive activity I otherwise would have engaged in, including recording the entire arrest I had been recording when my phone was seized, because I am afraid of what the police will do.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated this 28th day of September, 2017.

By: /s/ W. Patrick Mobley
W. Patrick Mobley